

REMARKS

The Office Action dated December 5, 2005, has been received and carefully noted. The above amendments to the specification, and the following remarks, are submitted as a full and complete response thereto. Claims 1-3 are currently pending in the application and are respectfully submitted for consideration.

The Office Action stated that claim 1 is allowed. Applicant thanks the Examiner for the indication that claim 1 is allowed.

The disclosure was objected to because of the reference designating the present application as a divisional in the previously inserted paragraph at the beginning of the specification. The reference has been amended to indicate that the present application is continuation application. Accordingly, it is respectfully requested that this objection be withdrawn.


Claims 2-3 were rejected only on the basis of nonstatutory obviousness-type double patenting. Enclosed is a terminal disclaimer under 37 CFR 1.321(c) that has been signed by Mr. Okito Nishio, who is the inventor and who has authority to execute the Terminal Disclaimer on behalf of Sumitomo Heavy Industries, LTD., the assignee of the present invention. Accordingly, in view of the Terminal Disclaimer, it is respectfully submitted that the double-patenting rejection has been overcome. Therefore it is respectfully requested that the rejection be withdrawn.

For the reasons explained above, it is respectfully submitted that all of claims 1-3 are now in condition for allowance. Accordingly, it is respectfully requested that all of claims 1-3 be allowed and that this application be passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,


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Enclosure: Duly executed Terminal Disclaimer